

THE GEORGE WASHINGTON UNIVERSITY
Washington, D.C.

**MINUTES OF THE REGULAR FACULTY SENATE MEETING
HELD ON SEPTEMBER 11, 2015
IN THE STATE ROOM**

Present: President Knapp, Provost Lerman, Registrar Amundson, and Parliamentarian Charnovitz; Deans Feuer, Goldman, Executive Committee Chair Garris; Professors Brazinsky, Costello, Dickinson, Galston, Griesshammer, Harrington, Hawley, Hopkins, Katz, Khourcy, Marotta-Walters, McAleavey, McDonnell, McHugh, Newcomer, Packer, Perry, Price, Pulcini, Rehman, Roddis, Rohrbeck, Sarkar, Swaine, Williams, Wilmarth, and Wirtz.

Absent: Deans Akman, Dolling, Eskandarian, Jeffries, Livingstone, Morant, and Vinson; Professors Barnhill, Downes, Jacobson, McDonnell, Miller, Rice, Rimal, Shesser, Sidawy, Squires, Swiercz, Thompson, Wald, and Zeman.

CALL TO ORDER:

The meeting was called to order at 2:13 p.m.

IN MEMORIAM

A moment of silence was held in honor of Linda Sue Campbell, Faculty Senate Coordinator, who passed away on June 3, 2015. She served the Senate for over twenty-one years.

APPROVAL OF THE MINUTES

Minutes of the meeting held on May 8, 2015 will be approved at the October 9, 2015 meeting.

INTRODUCTION OF NEWLY-ELECTED AND RE-ELECTED MEMBERS OF THE SENATE

President Knapp acknowledged new members of the University Senate in administrative positions, and Andie Dowd, the new Student Association President.

INTRODUCTION OF RESOLUTIONS

No new resolutions were introduced.

REPORT OF THE BOARD OF TRUSTEES ACTIVITIES ON FACULTY GOVERNANCE

Chair Carbonell gave a brief overview of the faculty governance review process at GW that has taken place over the past two years. He said that on June 18, 2015, the Committee on Academic Affairs and the Board of Trustees unanimously approved three resolutions on faculty governance.

The first resolution discussed by the Chair directs President Knapp to introduce a resolution that

will amend the *Faculty Organization Plan* in regards to participation of the Faculty Senate for full-time faculty members. The procedures governing this resolution are outlined in the *Faculty Organization Plan*.

The second resolution consists of recommendations from the Board's Subcommittee on Faculty Governance. This resolution amends the *Faculty Code* in the following areas:

- Establishes standards for the selection of deans;
- Codifies existing standards of excellence currently used by the various departments;
- Permits greater participation of personnel from school-wide committees to assist with the review of tenured cases;
- Streamlines faculty grades of academic personnel; and,
- Identifies a common set of university rules that each school must maintain in conjunction with departmental and school rules already established.

The third resolution calls for Board of Trustees member Madeleine Jacobs (Chair of the Committee on Academic Affairs and Subcommittee on Faculty Governance) to study the ratios of tenured and tenure-track faculty to non-tenure track faculty within departments and schools, and to further study the role of a university-wide personnel committee in the tenure and promotion process. Professor Packer noted that the university's Chief Administrative Officer (President Knapp) chaired meetings of the Faculty Senate. He inquired as to whether Chair Carbonell would review this arrangement. Chair Carbonell responded by stating that President Knapp's attendance at the Faculty Senate hearings is a strength since he is better aware of Senate deliberations. President Knapp stated that he enjoyed meeting with the Faculty Senate but would be open to the idea of reviewing his role.

Professor Rice inquired into whether the full Board of Trustees reviewed the three resolutions passed on May 8, 2015. Chairman Carbonell responded that the entire Board of Trustees received all of the resolutions passed in May. Mr. Carbonell also noted that the Academic Affairs Committee was diligently working to review the resolutions.

Chair Carbonell mentioned that a website was established to allow comments on the resolutions to be submitted anonymously.

Professor Griesshammer inquired as to whether the comments were publicly available and that it would be interesting to see how much of that input was actually reflected in the Board's proposals. Chair Carbonell noted that the information was not public but was shared with the Faculty Senate Executive Committee and Professor Garris. He thought they should be shared with the Senate.

Professor Griesshammer commented that he brought up the point because the Board had chosen to erect a parallel structure to the democratically-elected system which culminates in the Senate. There may be a problem if the information gathered this way is interpreted as the will of the faculty, without presenting the evidence for that. Chair Carbonell responded that the process was highly collaborative, and people were able to express their opinion. In his view, the Board needs to make decisions in the end. He thought this resulted in a very sound and reasonable set of changes that are going to make the institution better over time.

REPORT ON EXECUTIVE COMMITTEE ACTIVITIES ON FACULTY GOVERNANCE

Professor Garris conducted an overview of the shared governance process at GW during the last two years. The full presentation is attached to these minutes.

Professor Garris also entertained questions about specialized faculty. Professor Garris stated that specialized faculty was one of the subsets of the three pending issues. He noted that there have not been any changes in the treatment of specialized faculty. (He defined specialized faculty as any faculty member who engages in no more than two of the following: teaching, research, and service. Specialized faculty also includes the following individuals: research faculty, clinical faculty, teaching faculty, and any variations of the aforementioned faculty).

Professor Garris mentioned a past discussion during a prior Faculty Senate meeting in which the Senate suggested imposing a cap on specialized faculty at twenty-five percent (25%) across all schools at GW. As of today's meeting, there is no cap on specialized faculty within any division.

Professor Hopkins inquired into whether the Senate was required to approve agreements between the Executive Committee and the Board of Trustees. Professor Garris recommended that resolutions between the Executive Committee and the Board of Trustees be brought to the Senate for review. He indicated that the Board did not take resolutions to the Senate, and they are not required to do so. Professor Hopkins also inquired as to whether the changes enacted by the Board in June 2015 are currently part of the *Faculty Code*. Professor Garris noted that the new changes are a part of the *Faculty Code*. He also noted that the first resolution that the Board enacted is entitled, *Amendments to the Faculty Code*, and this amendment is contained in the *Faculty Code*.

Professor Griesshammer expressed concern about the new phase of a stronger and more collaborative process. He found an apparent inconsistency in which the Board presumably should have collaborated with the Senate over resolutions it created and developed. However, he noted that the Board chose to pass the resolution without the Senate's review, and thus contradicted the notion of increased shared governance. He questioned how increased governance was being encouraged, when the Board moved forward on a resolution without the Senate's input or approval.

Professor Garris explained that the Board works within its own timetable. He also noted that there was extensive collaboration between the Board and the Faculty Senate in determining the resolutions. He suggested that the Board might have believed that the faculty would have approved the changes within the resolution. Nonetheless, the Board made the final determination to not submit the proposed resolution to the Senate. Professor Garris stated that the Executive Committee recommended that the Board share the resolution with the Senate before approving it. However, he stated that the Board worked within their own timetable for which the Executive Committee had no control.

Professor McAleavey stated that the Senate should have confidence in the Executive Committee to perform essential work when the Senate is unable to meet. Professor McAleavey supported Professor Garris's contention that the Executive Committee could reasonably believe that the faculty would find resolutions appropriate, although they lacked the consent of the Senate. Professor McAleavey also noted that the language in the revisions of the *Code* is often superior to the language in the Faculty Senate resolution.

Professor Garris noted that although the Executive Committee was not privy to the confidential discussions the Board held during the Academic Affairs Committee, he believed that the Executive Committee was given a good opportunity to express its point of view. Professor Garris noted that the Executive Committee and the faculty were given the opportunity to voice the opinions, first at the Town Hall meetings in March and April, at the Faculty Senate meeting of May 8 where resolutions 16/1, 16/2, and 16/3 were approved, and again on June 10, 2015 where the Executive Committee teleconferenced with the Academic Affairs Committee of the Board.

Professor Garris noted that the Board believes they possess the fiduciary duty to make decisions that are in the best interest of the University. He also noted that the Board seeks to ensure that the best decisions for the University are made, and this occurs when the various committees are given an equal opportunity to voice their opinion. Professor Garris also noted that the Board contends that the notion of shared governance means that no one party has veto power over the other, including the faculty.

Professor Garris also reiterated that the current shared governance system is not one in which the faculty has a right to vote and veto whatever resolution the Board puts forward. He further clarified by stating the Executive Committee has the ability to express its thoughts and opinions, and the Board will take their ideas and concerns into account. However, the Board will not allow the Executive Committee to veto its ideas.

Professor Wirtz expressed concern over precisely this point: the current governance system and lack of veto power. He remembered that there was some contention on how one portion of the Faculty Code could be interpreted. He cited a provision in the first sentence of the Faculty Code. He then stated that some believed that since the Board of Trustees had created that particular Faculty Code provision, that the Board had final determination on all matters. It was his understanding that questions arose as to whether that provision should be interpreted broadly to say that the Board of Trustees could abolish the Faculty Code, or make changes to the Faculty Code as they felt were appropriate, and could also make random alterations to the Faculty Code simply based on that one provision alone. Professor Wirtz stated that this was a point of contention that needed to be discussed within the Senate. He added that it would have been very simple for the Board to aim for a true joint governance agreement on these primarily noncontroversial issues. Instead, he saw that the Board determined that these changes are simply going to be made. He warned that if the Senate cedes on this point, does it then also agree that the Board can take away in the same way that the Board has given.

Professor Garris said he would be happy to put this as an item on the Senate agenda. He noted that the *Faculty Code* essentially states that the Board of Trustees establishes the *Faculty Code* in accordance with the University Charter. He then explained that the University Charter validates the assertion that the Board has very extensive powers to perform the governance procedures it currently executes. He further stated that the University Charter elaborates on the numerous powers of the Board of Trustees, without any mention of the powers of the faculty.

Professor Garris noted that there are only two documents that contain power to change the *Faculty Code*. The first is the *Faculty Code* itself, and the second document is University Charter. He explained that there is no provision in the *Faculty Code* for an amendment to be made with the advice and input of the committees outside of the Board of Trustees. The only discussion about the Board of Trustees and its ability to modify the *Code* was based on the provision previously cited by

Professor Wirtz. Professor Garris also explained that within the University Charter, there is very little to support the contention that the Board of Trustees must work through the faculty.

Professor Wirtz said there was some ambiguity in the interpretation of the provision, and appropriate positions for the Board to take on non-controversial issues is to simply send the item or issues to the Senate for discussion, and seek to find a solution based on compromise. Professor Wirtz further explained that the message communicated to non-Board Members was confrontational in essence, and essentially informed non-Board Members that the Board was solely in charge, and “called the shots” on all matters of issues.

President Knapp responded to Professor Wirtz’s remarks regarding the Board of Trustees’ role in the governance review process. He noted that while the *Faculty Code* does not contain any procedures for amendment, there is an explicit amendment procedure for the *Faculty Organization Plan*. President Knapp made clear that the Board of Trustees intends to follow those procedures. He explained that any modification to the *Faculty Organization Plan* required the approval of the Faculty Assembly.

President Knapp explained that the Board of Trustees explicitly “tied its own hands” by not providing the Board with the right to amend the *Faculty Organization Plan* without the approval of the Faculty Assembly. However, the Board did not restrict itself in regards to the *Faculty Code*. This suggests that there was an intention not to require any particular procedure for amending the *Faculty Code* outside of the Board’s own approval authority. President Knapp also provided a brief overview of the history of the process to amend the *Faculty Code*. He highlighted the fact that the process was triggered by the Strategic Plan that was adopted by the Board of Trustees in 2012.

President Knapp endorsed Professor Garris’ statement about the governance process. He then noted that his endorsement of Professor Garris’ view did not preclude the faculty or the Faculty Senate from asking questions on the points that Professor Wirtz raised.

Professor Griesshammer noted that the D.C. Courts interpreted some portions of the *Faculty Code* as a binding contract between the university and individual faculty members. Professor Griesshammer noted that there was still no answer as to whether unilateral changes in a contract that adversely impacted individual rights, would actually make it to the courts. For those faculty members involved within the tenure-track systems, the change in the system would affect their current standing. He also expressed disappointment in the lack of unanimous consent around the issues than what the Senate could voice.

President Knapp addressed Professor Griesshammer’s concerns. He stated that whatever process had been followed in terms of engagement between the Board and the Faculty Senate would not have changed the contractual issues mentioned by Professor Griesshammer. He explained that if there were contractual implementations, those contracts are between the university and individual members of the faculty. President Knapp mentioned that former Interim Dean Maggs had previously clarified this point at a Faculty Senate meeting, and that his comments were noted in the minutes from the meeting that he attended.

President Knapp stated that there needs to be a consideration of contractual implementation as noted by Professor Griesshammer’s concerns, and such consideration would be taken seriously by the Administration and the Board.

A SUBSTITUTE RESOLUTION ON RECOMMENDED CHANGES TO THE FACULTY ORGANIZATION PLAN REGARDING FACULTY PARTICIPATION IN THE FACULTY SENATE

Professor Wilmarth, on behalf of the PEAF Committee, introduced Revised Substitute Resolution 16/4. He mentioned that this resolution was originally discussed at the Senate's meeting in May; however, the Senate decided to postpone further discussion of the resolution until the present meeting. He noted that the Board of Trustees made two very important decisions when they approved amendments to the Faculty Code on June 15th. First, while the Board did not eliminate the 75%/25% rule governing the composition of the regular faculty, the Board did change the schools that were exempt from the rule. The Board exempted three schools from the 75%/25% rule: the School of Medicine and Health Sciences (SMHS), the School of Nursing (SON), and the Milken Institute of School of Public Health.

The Board of Trustees also decided on June 15th to reject the 25% cap on specialized faculty that the Senate had recommended. The Senate recommended that SMHS and SON should be exempted from the proposed 25% cap on specialized faculty because of their intensive clinical teaching programs, which require a very low student-to-teacher ratio. The Senate recommended a 25% cap on specialized faculty for all other schools, but the Board did not adopt that recommendation. When the issue of the 25% cap was discussed during the Senate's previous meeting in May, Professor Wilmarth explained that three Senate committees (ASPP, PEAF, and the Executive Committee) recommended the 25% cap as an important element in the Senate's resolution.

Professor Wilmarth identified continuing concerns about the lack of input from specialized faculty as to their preferences regarding service in the Senate, especially given the potential adverse impact of eligibility for service in the Senate on possible collective bargaining rights that specialized faculty may currently possess due to their very limited governance rights.

Professor Wilmarth stated that, following the Board's actions in June, the Executive Committee and the PEAF Committee reviewed the Senate representation issue again, and both Committees reaffirmed their prior decisions on three basic points. The first point is that all faculty members who serve in the Senate should have a minimum of three years of full-time service to the university. The purpose behind this requirement is to ensure that individuals who serve in the Senate have an understanding of the culture, traditions and governance of the university and their school before they become eligible for service in the Senate. The second point is that service in the Senate should be open to tenured faculty members and also to regular faculty members without tenure who have achieved the rank of associate professor or higher. The third point is that at least half of the members of the Senate from each school should hold tenured appointments.

Professor Wilmarth stated that many specialized faculty are on year-to-year contracts, and many of them are also on soft-money contracts. Specialized faculty do not engage in all three areas of core faculty activity (teaching, research, and service). Therefore, the Executive and PEAF Committees continue to have significant concerns about the independence of specialized faculty and whether they have the necessary breadth of experience and academic involvement to represent their schools effectively within the Senate. Professor Wilmarth also noted that the question of whether specialized faculty should be eligible to serve in the Senate could be revisited in the future, after the Senate has gained experience regarding the effects of including regular, non-tenured faculty in its membership.

While Professor Wilmarth supports the proposal to allow regular, non-tenured faculty to serve in the Senate, he emphasized the great importance of ensuring that tenured faculty members will continue to constitute a majority of the Senate. He noted the following benefits of including a requirement that at least half of the Senate members from each school must hold tenured appointments:

- 1) Faculty members with tenure have a long-term investment in the university;
- 2) Tenured faculty members have the economic independence and security that is needed to encourage them to engage in robust dialogue with the administration about the University's academic programs and future direction; and,
- 3) Tenured faculty members have the ability to disagree with the administration without fearing that they could lose their jobs.

In response to an inquiry from Professor McAlavey, Professor Wilmarth noted that specialized faculty who are in full-time service would retain the right to vote in elections for Senators from their schools. Professor Wilmarth also noted that, while specialized faculty could not serve as senators under Revised Substitute Resolution 16/4, they could continue to serve on Senate committees.

Professor McAlavey followed up with another question about the definition of the term "in full-time service." He inquired as to whether this term was not synonymous with the term "regular full-time faculty." Professor Wilmarth explained that the two terms are not synonymous. Professor Wilmarth stated that there are full-time specialized faculty members who are not considered to be regular faculty members because they do not have responsibility for all three areas of core faculty activity. He further noted that not all specialized faculty are in full-time service, and only those who are in full-time service are entitled to vote in elections for Senators from their schools.

Professor Swaine inquired about the eligibility requirements for faculty members wanting to serve in the Senate. He noted that eligibility requirements for tenured faculty members were becoming more stringent. He asked if the eligibility rules were also designed to impose restrictions on the tenured faculty, since the three-year service requirement was also mandatory for them. Additionally, he stated that the requirement mandated that faculty members must be tenured at the time of the election as opposed to the following year. Professor Wilmarth confirmed that the rules contained in Revised Substitute Resolution 16/4 were intentionally designed to require at least three years of full-time service as well as the holding of a tenured faculty position or a regular, non-tenured faculty position (at the rank of associate professor or higher) for all faculty who wish to serve in the Senate.

Professor McDonnell commenced a new conversation on the composition of faculty, and the representation of the Faculty Senate in schools in general. She acknowledged that in Senate Resolution 16/2, the Faculty Senate sought to impose university-wide quotas on research faculty. She noted that the policy of excluding research faculty from participating in the Senate precluded the School of Public Health from having representation that best promotes its public health mission. The School for Public Health therefore recommended that the Senate withdraw the proposed amendment.

President Knapp and the Parliamentarian discussed potential procedural difficulties at the Faculty Assembly to deal with two conflicting resolutions, one for the Board and one from the Senate. This is to be resolved prior to the Faculty Assembly.

Professor Roddis asked Professor Wilmarth about the "whereas clause," stating that Senate

committees and the Faculty Senate are concerned that specialized faculty members have not had an adequate opportunity to consider and express their views. Professor Roddis noted that the clause might impair the existing labor rights of the specialized faculty. She inquired as to whether the bargaining rights of contract faculty members would remain intact, since in essence it appeared as though they were losing their bargaining rights. Professor Roddis further noted that there was confusion about the role of research faculty. She said that, some research faculty are entirely funded by soft money with restrictions that would forbid them from participating in any service at the university.

Professor Wilmarth responded to both inquiries from Professor Roddis. Professor Wilmarth noted that he had discussed this matter with Professor Charles Craver, his Law School colleague who specializes in labor law. Professor Craver advised that expanding the governance participation rights of specialized faculty could potentially reduce their right to engage in collective bargaining. Professor Wilmarth noted that the Executive Committee has invited specialized faculty to express their views about service in the Senate on gw.hoopla; however, the Executive Committee has received few if any responses from specialized faculty as to whether they consider eligibility for Senate service to be a matter of concern for them.

With regard to the inquiry about collective bargaining rights, Professor Wilmarth noted that regular, non-tenured faculty already have substantial rights to participate in governance. He noted that numerous provisions in the Faculty Code provide them with rights of governance, although they have not had the right to serve in the Senate. Professor Wilmarth noted that, after speaking with members on the Executive Committee and the PEAF Committee, there appeared to be a fairly strong interest among regular, non-tenured faculty in serving on the Senate. In contrast, the Executive Committee has received virtually no feedback from the specialized faculty, other than information communicated by their Senate representatives from the Milken Institute School of Public Health. Professor Wilmarth agreed that there could potentially be a serious problem with the ability of soft-money research faculty to serve in the Faculty Senate.

Professor Katz inquired about the maximum amount of "hard money" to which research faculty are entitled, that figure is currently capped at approximately 30-35% depending on the department. She also noted there is no minimum amount. Dean Goldman confirmed that this figure is the university's rule. President Knapp asked whether it would be possible for an individual to be funded by 100% soft money. Dean Goldman clarified that if an individual was part of the research faculty, some of their salary may be funded by hard money; however, the amount of the funding was limited by constraints imposed by Human Resources.

In response, President Knapp asked what happens when someone is receiving 100% of their funding from soft money. President Knapp also mentioned that he believed this was the question Professor Roddis had previously asked. Dean Goldman replied to President Knapp saying that most research faculty receive their funding from approximately 100% soft money, with only 5% of hard money support.

Professor Katz noted that there is an opportunity for an individual who is performing service to receive funding from hard money. She explained that this could be done if the faculty member receives approval for the service activities from their department or respective school. Dean Goldman confirmed that this statement was correct.

Professor Wilmarth responded to a question about collective bargaining rights posed by Professor Swaine. Professor Wilmarth explained that if specialized faculty are given the right to serve in the Faculty Senate, that change would give them a much greater right to participate in university governance and could potentially impair any collective bargaining rights that they may currently have. Professor McAleavy remarked that the Board's resolution allowed for a dystopian vision of a university which is split into a research park of faculty doing research and an advanced high school where people only teach.

Dr. Jacobs (Chair of the Board's Committee on Academic Affairs and Subcommittee on Faculty Governance) commented that the Board's questionnaire two years ago had a very high response rate, and faculty were overwhelmingly concerned with impediments to the Strategic Plan resulting from limited participation rights. Many specialized faculty who had been here for many years commented they felt they had no participation rights. The Working Group's position was that faculty knows what's in their best interest and therefore should be allowed to make those decisions. If they didn't want specialized faculty to be elected, they simply wouldn't elect them.

Professor Griesshammer asked if the results of the two questionnaires were publicly available. Professor Jacobs was sure the results were summarized for the Senate last year and would check on that.

President Knapp asked whether the Senate was ready to vote on the resolution. President Knapp asked Professor Katz and Professor McDonnell if they wanted to make a motion to amend the resolution. Professor Katz indicated that she and Professor McDonnell did not wish to do so.

President Knapp called for a vote for the resolution. The results were twenty-three (23) votes in favor and three (3) votes in opposition. President Knapp confirmed that the resolution passed.

STATUS OF HEALTH CARE BENEFITS: REPORT ON DEVELOPMENT SINCE MAY 8 SENATE MEETING AND OPEN ENROLLMENT FOR FALL 2015

Vice President Sabrina Ellis and John Kosky, Associate Vice President, HR Talent Management, reported on the status of health care benefits; including developments since the May 8, 2015 Senate meeting. Vice President Ellis also spoke on enrollment for fall 2015 and explained changes to the 2016 benefit plans.

Vice President Ellis explained the process in identifying adequate healthcare plans. She outlined the process as follows:

- Human Resources identifies trends;
- Human Resources reviews utilization with the benefit vendors and partners;
- Options for consideration are identified in the regular engagement with the BAC (Benefits Advisory Committee); and,
- Initial recommendations are constructed.

Mr. Kosky noted that there are four major plan enhancements and modifications for this coming year. Effective January 2016, the Benefits Office will issue what is known as benefits W-2. Mr. Kosky explained that when taxes forms are disseminated in January, a new form entitled Form 1095-C will be given to every employee. The form is required by the Affordable Health Care Act (ACA),

and employees are required to file the form with their taxes. Mr. Kosky stated in 2015, GW will pay about \$480,000 in fees that are associated with the ACA. He also mentioned other taxes that the university must pay including the excise tax (also known as the Cadillac tax).

The first plan enhancement for 2016 is a contribution to a health savings account for those employees that will enroll in the high-deductible health plan. For individuals involved in this plan, GW will provide a matching contribution starting on January 1, 2016 for those individuals that enroll in the high-deductible plan. If they cover themselves, GW will provide for a one-for-one match up to \$300. Therefore, for every dollar that an individual contributes, GW will contribute and match that up to \$300. And if there are independents, GW will match the plan for up to \$600.

Mr. Kosky then moved on to discuss the pharmacy benefit plan. Effective January 1, 2016, employees in the basic and medium plan will no longer have to pay a separate deductible for brand-name drugs. There is no separate deductible for pharmacy. Mr. Kosky mentioned that there was going to be a new program implemented called the pharmacy advisory counseling. This new program is an optional service. This program will allow individuals with chronic medical conditions to have access to clinical advice with a pharmacist. This program will also assist them in ensuring that they are taking their medication properly.

Plan enhancement is a telemedicine option that will also be introduced in 2016. This program involved a network of physicians that employees can either call or phone or go through some kind of videoconferencing, and talk to physicians for minor conditions. This is another optional service. The physicians participating in this plan also have the ability to write prescriptions.

Mr. Kosky moved on to discuss plan modifications. Effective January 1, of 2016, employees earning less than \$120,000 per year would see a three percent increase. The last change that was discussed was a change in the pharmacy plan from a copay structure, which is fixed in payment, to a coinsurance, which is a fixed percentage. Mr. Kosky disseminated a handout that contains the information contained in his presentation.

Vice President Ellis stated that the amount from the increase to the benefit pool is approximately \$880,000.

Professor Packer suggested adding a presentation of the annual changes in the benefit pool and health costs per employee, and not just as lump sum. He also inquired what happened if the pool of university and employee contributions does not match the costs in a certain year. Vice President Ellis commented that this was compensated by the plan changes she had detailed.

Professor Wirtz asked to consider the entire set of expenses, including capital expenses and whether priorities now are focused correctly. President Knapp commented that in a labor-intensive industry like ours, salaries drive cost. The capital investments made come after a long process of prioritizations which involves the faculty, Deans, and the Board. For example, the Science and Engineering Hall was presented as the Senate's top capital priority.

Professor Griesshammer highlighted the extraordinary amount of transparency and remembered the disaster two years ago when a certain level of mis- or non-communication led people to found two organizations: the Staff Association GWUSA and the Faculty Association GWUFA, both of which

are here to stay. He also commended Vice President Ellis on her quick reaction to concerns in this year's roll-out by adding Town Meetings.

Prompted by Professor Roddis, Vice President Ellis reported that 46 dependents were removed from the plan as part of the Eligibility Verification procedure. Over 200 dependent could not be verified. Conservatively, that is a saving of \$400,000 per year, but it could be as high as \$1 million. She also commented that their projections take into account that some employees may decide to switch away from the university plan altogether. This can potentially have adverse effects and needs to be monitored.

REPORT ON THE RECOMMENDATIONS OF THE BENEFITS TASKFORCE

Professor Hopkins presented the recommendations of the Benefits Task Force. He explained that President Knapp assembled this taskforce in January 2015 following the Senate resolution about the restoration of tuition rates.

Professor Hopkins said that one of the purposes of the taskforce was to research health benefits in comparison to peer universities and to study the categories of health, retirement, and tuition. There was also a plan to develop recommendations around funding priorities within the University's health benefits. Professor Hopkins noted that the taskforce began working in January 2015, and it delivered a short-term report to President Knapp in May 2015. The report was then forwarded to the Executive Committee, and subsequently to the Senate. In June, Professor Rosenbaum subsequently presented a summary of the report to the Benefits Advisory Committee. Presently, the Benefits Taskforce is now working on a long-term report and recommendations with the aim of delivering the long-term report to the President on December 1, 2015. The eventual goal is to share the report with the school community at-large.

Professor Hopkins discussed research regarding peer institutions such as American University, Boston University, Columbia, Georgetown, New York University, University of Maryland and Tufts. Information was compared from publicly available data. Actuarial value was used as the key benchmark between the plans. The actuarial value is the percentage of covered benefits paid by an insurer or health plan for a standard population once all patient cost-sharing obligations have been met. Professor Hopkins indicated that it was essentially a measure of the relative richness of a plan.

Professor Hopkins discussed the methodology of the Mercer report, a comparison between GW's most popular plan, so PPO could be compared to a high-deductible health plan, which can lead to a skewed outcome. Professor Hopkins mentioned that the health benefits offered at GW are not competitive with peer institutions based on actuarial value. He also mentioned that of the three plans offered by GW, none of them were found to be above middle ranking, even by the Mercer report. He also stated that two of the plans were low on competitiveness. In regards to retirement benefits, GW's contribution is competitive with peer institutions. However the service requirement is also longer than most peer institutions.

The reduction in tuition remission made the program considerably less competitive. In regards to wages and salaries, Professor Hopkins referenced a publicly stated goal that GW pay near the eightieth percentile of the AAUP salary survey. This goal seems to be met for senior faculty and less so for junior faculty. He spoke about the fringe rate, which is essentially the benefits rate. GW has the lowest fringe rate of the benchmark peer institutions.

Professor Hopkins discussed recommendations on short-term reports. In the event of a cost increase in health care expenses that exceeds the increase to the merit pool, the university should bear the difference. Its second recommendation is that the tuition remission change should be grandfathered for those who were enrolled in a course of study as of January 1, 2015, rather than having an immediate impact on individuals. Thirdly, as part of the five-year budget model currently being implemented, benefits should be a set cost for fiscal planning in the future.

Professor Hopkins stated that the administration rejected the first two ideas, and their response to the third idea was unclear. Professor Hopkins noted that pay banding was adopted by the administration. He explained that pay banding could be used to fund the recommendations in the short-term report. However, he stated that none of the recommendations in the short-term report required the use of pay banding as a source of funding. The short-term report recommends that the benefit pool be commensurate with the increase in health care cost, and that the University absorb any remaining costs.

Professor Hopkins noted that the Board of Trustees approved \$887,000 in the face of an 8% overall increase in the cost of benefits. He explained that the Board of Trustees is leaving about 75% of the cost increase to be picked up through efficiencies in plan and cost-shifting to employees. He also mentioned that one of the items, which has been adopted, is the funding of associated health savings accounts with high-deductible plans. Professor Hopkins then said that there was an exploration of an EPO option, which was very similar to an HMO. The drawback to this option would be having less choices, but the advantage would be a cheaper rate overall.

Professor Hopkins said that for retiree health benefits, the goal was to equalize benefits between faculty and staff. He also mentioned that there was most likely going to be a move towards a defined contribution model, in term of retiree health benefits. For retirement benefits, he mentioned that they were looking at a revision of contribution structured toward long-term service, as is done with most peer institutions. In regards to the fringe calculation, the goal of the committee is to establish clear guidelines on how fringe benefits are calculated, and also define what it means to be competitive with a peer institution.

Professor Hopkins also expressed a desire to explore options for receiving employee feedback on benefits. In response to an inquiry from Professor Newcomer, Professor Hopkins stated that GW was essentially the lowest ranked institution, when compared to peer institutions in measures of their health insurance benefits.

Asked by Professor Wilmarth, Professor Hopkins said they received an executive summary and briefing of the Mercer report, followed by a robust discussion. The Benefits Task Force stands by its methodology and believes it to be more transparent and based on the actuarial value as the accepted measure of health care value. Professor Cordes added that the Mercer method made sense but he had not seen a numerical example of how they did the calculation. Mr. Kosky said the Task Force would have access to the full data set.

Professor Griesshammer commented that he was confused why there were two reports. After a fact-based Senate resolution last year, the President set up a Task Force. Its members have invested an incredible amount of time. And then GW Today announces that an outside agency, Mercer, is paid concurrently to the ongoing work of the Task Force to issue another report. He said that it was

difficult for him to not come up with the conclusion that there were reports requested until the desired outcome was reached. Since Mercer has been consulting on GW benefits for quite some time, are we asking the people to evaluate the plan who are actually, in part, responsible for it?

Professor Cordes commented that the Mercer report used a different methodology than the Task Force. Mercer had a standardized employee face different plans, instead of looking at institutional aggregates and averages. He wanted to understand why the results were so different. He would also like to understand better why the dollar differences between the plans in the Mercer report was so small. Vice President Ellis added that they work with Mercer because as one of the largest benefit consulting companies, they have a lot of experience. The market basket of the Mercer report is the standard one, while the Benefits Task Force benchmarking includes a subset of these schools.

Provost Lerman suggested that Vice President Ellis provide to the Benefits Advisory Committee all information necessary to answer such questions.

Professor Wilmarth asked that the Task Force's group of peer institutions be compared by the Mercer criteria. The selection of institutions one compares to could be as important as their benefits plans.

Prompted by a question from Professor Swaine, Professor Hopkins said that the Task Force considered the change from 96% tuition coverage to 90% for employees was both uncompetitive and unfair, in particular without a grandfathering rule.

GENERAL BUSINESS

I. NOMINATIONS FOR ELECTION OF FACULTY MEMBERS TO THE SENATE STANDING COMMITTEES:

Professor Garris noted that there are several nominations for the election of faculty members to the Senate. He also mentioned that there are nominations for ASPP to add Cynthia Rohrbeck to the ASPP from the Columbian College of Arts and Sciences (CCAS) and Brian Biles from the School of Public Health as members.

Professor McDonnell noted that Brian Biles formally retired from the university. Provost Lerman clarified that Brian Biles could serve on a committee, although he would be ineligible to serve as a senator.

The nominees were approved by unanimous vote.

II. CHANGE OF SENATE CALENDAR

Professor Garris noted that the second issue is that several faculty members mentioned that the Faculty Senate calendar had scheduled a Senate meeting on January 8, 2016. However, that date was immediately after winter break and problematic because many people would be away attending conferences. A motion was made to postpone the date of the meeting to January 15, 2016, and the motion was approved by a unanimous vote.

III. NOMINATIONS OF FACULTY MEMBERS FOR THE BENEFITS ADVISORY COMMITTEE

Professor Garris presented nominations of faculty members to the Dispute Resolution Committee. The nominees were:

- Sylvia Marotta-Walters
- Robert Harrington
- Edward Swaine

Professor Garris made a motion for these nominees to be appointed to that committee. Professor Wilmarth seconded the motion, and the motion was granted unanimously.

IV. REPORT OF THE EXECUTIVE COMMITTEE

Report of the Executive Committee is attached.

REMARKS FROM THE PROVOST

Provost Lerman thanked members of the Faculty Senate for their kind words and warm sentiments after his departure was announced. He said that he would remain in his position until the end of the Fall 2015 semester.

ADJOURNMENT

Meeting adjourned at 5:16 p.m.

REPORT OF THE EXECUTIVE COMMITTEE

Charles A. Garris, Chair

September 11, 2015

I want to begin by welcoming all of the newly-elected and re-elected Senate members and extend a special welcome to Dean Pamela Jeffries of the School of Nursing and Dean Reuben Brigety of the Elliott School. We look forward very much to working with all of you.

This summer, we experienced a terrible loss with the passing of Linda Sue Campbell who has been the indomitable spirit of the Senate for the past 20 years. Her knowledge and understanding of shared governance and the processes and people of the Senate and GW made her indispensable to many generations of Senators. Her acerbic wit, strong opinions, high integrity, and intelligent conversation will also be greatly missed by those who worked closely with her. Her absence has been very strongly felt by all of us and it will take a while for us to get back to normal operations. As a token of our appreciation of Sue's absence, we have a rose placed where she normally would have sat here at the table.

Provost Lerman has very kindly made his home available for a memorial for Sue on October 9 immediately following the Faculty Senate meeting. Details will be announced. For those who cannot attend, please feel free to send me a letter of tribute or a Sue story that will be shared with others and Sue's family.

I would also like to announce that Jim Miller, Professor of English, American Studies, and Africana Studies passed away in June. There will be a celebration of his life and work today, from 2-6 p.m. in the Jack Morton Auditorium for those who would like to attend after this meeting.

ACTIONS OF THE EXECUTIVE COMMITTEE

Faculty Governance: As described previously in my presentation on Faculty Governance, the Executive Committee teleconferenced with the Academic Affairs Committee of the Board of Trustees on June 10, and had a very productive and robust discussion on the recommendations of the Governance Working Groups and the recommendations embodied in Faculty Senate resolutions 16/1, 16/2, and 16/3. After the Board met on June 18 and 19 and passed its three resolutions, the Executive Committee prepared a detailed mailing to the Faculty on July 15 which included the Board's resolutions, a spreadsheet comparing the 2004 Faculty Code, the amended provisions of the Faculty Code approved by the Board, and the Senate resolutions. To facilitate identifying variations, key segments of the various documents were highlighted and comments by the Executive Committee were included. A cover letter was provided to assist in understanding the results of the changes and which emphasized that we have engaged in a highly collaborative process that has resulted in improvements in our shared governance system. However, as stated by Chair Carbonell, it is a new era where the Board actively engages with the Faculty and Administration that is new to GW.

Health Care Benefits: The Executive Committee has been keeping in communication with the Benefits Task Force and the Benefits Advisory Counsel. There is much concern about the rising cost of health insurance premiums.

Faculty Assembly Planning: The Executive Committee has been working with the Administration and Parliamentarian Charnovitz to plan for the upcoming Faculty Assembly which may prove challenging from a voting perspective.

Faculty Senate Calendar: The Executive Committee has been inquiring about the interest and logistics of changing the January 8, 2016 meeting of the Faculty Senate to January 15.

Dependent Eligibility Validation Program for GW Health Insurance: The Executive Committee has discussed concerns expressed by faculty over the bureaucratic burden incurred in complying with this program. We have been informed that by eliminating ineligible participants, there are savings which will be passed on to eligible participants.

FACULTY PERSONNEL MATTERS

Grievances

There are currently two grievances. One in the School of Engineering and Applied Science and the other in the School of Medicine and Health Sciences.

Nonconcurrences

In my report to you on May 8, I said there were no nonconcurrences. I spoke too soon. Shortly after our last Senate meeting, two nonconcurrences from the Columbian College of Arts & Sciences arrived. Since the Board did not change the mechanisms described in the Faculty Code charging the Executive Committee with administering nonconcurrences, we proceeded as always. However, the nonconcurrences went much more smoothly this year since the dean had the benefit of the templates for nonconcurrence that the Executive Committee created last year. As a result, the compelling reasons for nonconcurrence were clearly articulated and commensurate with Faculty Senate Resolution 03/10. The recommendations of the Executive Committee supported the dean in one case, and provided an alternative means of resolving the issue in the other case. In both cases, the actions taken by the Administration were supported by the Executive Committee recommendations.

ANY OTHER MATTERS

The Faculty Senate Coordinator position has not been filled yet. I had hoped to fill it before July 1 – boy was I naïve to think that possible. The good news is that there is a highly qualified pool of people with extensive experience at GW who are interested in the job. I am hopeful that we will be able start the interviewing process soon and introduce you to our new coordinator.

In the meantime, I have survived thanks to the marvelous support of Jennifer Siecks who has been delightful to work with and has helped me with financial issues, scheduling

issues, committee issues, catering, helping me navigate the HR process and a variety of other matters. We all owe Jennifer our thanks. Let's give her a round of applause!!!

I also must thank Provost Steve Lerman and Vice Provost Dianne Martin for facilitating this difficult time and freeing Jennifer from her many duties to help the Senate. This excellent support was very much appreciated.

An updated list of the Senate Standing Committee membership will be prepared shortly and posted to the Senate website. In the meantime, please work with last year's list of committee members plus the new members that appear in the Senate minutes. The forthcoming list will reflect changes in the elected and the appointed ex-officio, non-voting membership since the May 8, 2015 Senate meeting.

GW has a wonderful tradition of shared governance between faculty and administration. The Faculty Senate contributes to this process through its standing committees. The stronger our committees, the more useful and credible our advice will be in the shared governance process. The better the contributions to the welfare of the university, the more exciting work on our committees will be, further engendering faculty participation. It is therefore an essential role of all Senators to contribute to strengthening our committees. This can be done by your direct participation in at least one committee, and by encouraging colleagues to join Senate committees. I therefore strongly encourage any Senator who is not currently a member of a Senate standing committee to join one as soon as possible, and to encourage colleagues to join committees. Please direct any requests to join committees to me and I will put your name forward on your chosen committee. As stated previously, a list of the standing committees and the current membership will be posted on the Senate website soon.

ANNOUNCEMENTS

Annual Faculty Assembly

The Faculty Assembly will meet on October 6, 2015 at 2:00 PM this year in the Grand Ballroom of the Marvin Center. There may be two competing resolutions on participation in the Faculty Senate requiring votes of the Faculty Assembly. This will be a complicated process as eligibility to vote must be ascertained, and it is likely that there will be a large turnout of faculty. We are working out a voting process which may involve preregistration and voting by means of electronic clickers, although efforts are being made to simplify the process. In addition to the important votes on participation resolutions, this is the event at which new faculty members are introduced. This is likely to be a very important meeting which will have a large impact on shared governance at GW. Please remind your colleagues that this will be a historic Faculty Assembly meeting that all faculty should attend as their voices, as expressed by their votes, will have a strong impact on the future of shared governance at GW. All full-time academic faculty with titles of professor, associate professor, assistant professor, or instructor can vote. This includes contract faculty, research faculty, clinical faculty, teaching faculty, as well as tenured and tenure-track faculty.

The next meeting of the Executive Committee is scheduled for Friday, September 25th. Resolutions, reports and any other items of business for the October 9th Senate agenda should be received by the Senate Office before September 25th.

IN CONCLUSION, the 2016 Academic Year will be very active for the Senate. Faculty governance and benefits issues will continue to occupy our attention. I expect Faculty Senate committees will be very busy and contribute greatly to a better GW. The Executive Committee looks forward to working with you.